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AO 91 (Rev. 11/11) Criminal Complaint	Special Agent:	Adam Christensen, FBI	Telephone:	(313) 965-2323

UNITED STATES DISTRICT COURT
for the

Eastern District of Michigan

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United States of America

v.

MICHAL FIGURA

Case:2:17-mj-30561
Judge: Unassigned,
Filed: 10-23-2017 At 12:54 PM
CMP USA V FIGURA (LH)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of ___2013 through on or about Oct. 23, 2017___ in the county of ___Oakland and elsewhere___ in the ___Eastern___ District of ___Michigan___, the defendant(s) violated:

Code Section	Offense Description
18 U.S.C. § 2251(a) and (e), 18 U.S.C. § 2252A(a)(2)(A) and (b)(1) and 2252A(a)(5)(B) and (b)(2); 2422; and 2252A(g)(2)	Producing, attempting to produce and conspiracy to produce child pornography; conspiracy to receive child pornography; conspiracy to access with intent to view child pornography; participation in a child exploitation enterprise, coercion and enticement of a minor

This criminal complaint is based on these facts:

See Attached Affidavit

☑ Continued on the attached sheet.

_____
Complainant's signature

Special Agent Adam Christensen, FBI
Printed name and title

Sworn to before me and signed in my presence.

Date: __OCT 2 3 2017__

City and state: __Detroit, Michigan__

_____
Judge's signature

Hon. Mona K. Majzoub, U.S. Magistrate Judge
Printed name and title

AFFIDAVIT IN SUPPORT OF APPLICATION FOR COMPLAINT AND ARREST WARRANT

I. INTRODUCTION

I, Adam Christensen, having been first duly sworn, do hereby depose and state as follows:

1.   I have been employed as a Special Agent of the FBI since 2010, and am currently assigned to the Detroit Division. While employed by the FBI, I have investigated federal criminal violations related to child exploitation, and child pornography. I have gained experience through training and everyday work relating to conducting these types of investigations. I have received training in the area of child pornography and child exploitation, and have had the opportunity to observe and review numerous examples of child pornography (as defined in 18 U.S.C. § 2256) in all forms of media including computer media. Moreover, I am a federal law enforcement officer who is engaged in enforcing the criminal laws, including 18 U.S.C. §§ 2251 and 2252A, and I am authorized by the Attorney General to request an arrest warrant.

2.   This affidavit is made in support of an application for a criminal complaint and arrest warrant for **Michal Figura** (XX/XX/1982) for violations of 18 U.S.C. § 2251(a) and (e) (producing, attempting to produce, and conspiracy to produce

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child pornography); 18 U.S.C. § 2252A(a)(2)(A) and (b)(1) (receipt and distribution of, conspiracy to receive and distribute, and attempt to receive and distribute child pornography); 18 U.S.C. § 2252A(a)(5)(B) and (b)(2) (possession of, knowing access, conspiracy to access, or attempted access with intent to view child pornography); 18 U.S.C. § 2422 (coercion and enticement); and § 2252A(g)(2) (participating in a child pornography enterprise).

3.   The statements contained in this affidavit are based in part on: information provided by FBI Special Agents; written reports about this and other investigations that I have received, directly or indirectly, from other law enforcement agents, information gathered from the service of administrative subpoenas; the results of physical and electronic surveillance conducted by law enforcement agents; independent investigation and analysis by FBI agents/analysts and computer forensic professionals; and my experience, training and background as a Special Agent (SA) with the FBI. Because this affidavit is being submitted for the limited purpose of securing authorization for the requested arrest warrant, I have not included each and every fact known to me concerning this investigation. Instead, I have set forth only the facts that I believe are necessary to establish the necessary probable cause that **Figura** (XX/XX/1982) has violated Title 18 U.S.C. §§ 2251(a) and (e), 2252A(a)(2)(A) and (b)(1), 2252A(a)(5)(B) and (b)(2), 2422, and 2252A(g)(2).

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Background of Investigation

4.   This affidavit, complaint, and arrest warrant are part of an ongoing investigation related to the sexual exploitation of children (specifically preteen and teenage girls) on a chatroom-based website.   To protect the integrity of the investigation, the website will be referred to throughout this affidavit as Website A.

5.   Website A is a social media platform where people, using usernames of their choosing, enter chatrooms and communicate with other users in real time. The chatrooms have a list of users in the lower right corner of the screen, an active chat conversation on the lower left corner of the screen, and a large space above these for individuals to live stream their activities via web camera. In each chatroom, at any given time, up to two users can broadcast their activities via web camera.

6.   The investigation reveals that Website A is primarily used by adult men seeking to sexually exploit teenage and preteen girls. These men pretend to be teenage boys, teenage girls, or others to entice the victims to engage in sexually explicit activity on camera. Throughout the course of this investigation, the FBI has identified more than 50 minor victims, with dozens more yet unidentified, who remove clothing, engage in sexual activity, and otherwise pose for other users on the various chatrooms on Website A. The investigation also reveals that in many instances groups of users on Website A work together to coordinate the recruitment, enticement, and coercion of the

victims into producing child pornography.

Minor Victim-1's Victimization

7.   On June 29, 2017, MV-1 (DOB XX/XX/2000), a resident of the Eastern District of Michigan, was forensically interviewed by the FBI. During the interview, MV-1 stated that she had consistently been on Website A in a room with four to five individuals that she believed to be teenage males. This group of individuals enticed MV-1 to display her naked body and, among other things, to show her bottom and touch her vagina while on webcamera on Website A. She stated that the group members also asked her to engage in sexual activity with her brother and to insert objects into her vagina, but that she never did those things.

8.   The FBI reviewed logs from Website A to determine the identity of the offenders who enticed MV-1 to engage in sexual activity on webcamera. These logs show, amongst other things, the IP addresses utilized to login to specific chatrooms, the date of the logins, and the names of those chatrooms. By reviewing the logs for MV-1's IP address, the FBI discovered that numerous individuals, including offender S2,[1] consistently visited a chatroom on Website A with MV-1 on at least a dozen different occasions.

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[1] The FBI knows the identities of S2, Website A, Website B, and the true usernames utilized by the defendants (including the username of **PENNSYLVANIA TARGET #1** discussed below), but they are not revealed here to protect the integrity of an ongoing investigation.

S2's Arrest and Cooperation Regarding the Group

9.   On July 27, 2017, after the FBI executed a federal search warrant at his residence, S2 agreed to speak to law enforcement. S2 identified MV-1 and stated that he had enticed her to visit Website A so that she could be targeted by a group he was working with. The objective of the group was to entice minor females to undress, masturbate, and engage in other types of sexual activity on webcamera on Website A. S2 stated that he had been working with this particular group on Website A since 2012 or 2013 through the summer of 2017.[2]

10.   S2 identified the target age of the victims of this group as 15-17 year old females. Members of the group usually recorded these sexual acts and sometimes shared the recordings with other group members. S2 stated that he and other group members were typically on the website targeting minors multiple times per week. He admitted that he had personally recorded dozens of minor females engaged in sexual activity on Website A. In addition to MV-1, S2 identified several other minors, to include MV-2 and MV-3, as victims of the group. These minors were all victimized on multiple occasions.

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[2] S2 acknowledged being a part of a second group as well. Six United States-based members of that group (including S2) were arrested, indicted for their participation in a child exploitation enterprise, and are currently detained in the Eastern District of Michigan. To date, over 1,000 child pornography videos have been recovered from S2's devices, numerous of which he recorded from Website A.

11.   From S2's statements and a review of social media conversations between S2 and members of this second group, I know that this group used certain terminology. For example, they used the term "hunt" to refer to searching for minor female targets, the term "win" to refer to successfully getting a minor to engage in sexually explicit conduct on webcamera, the term "cap" or "capture" to refer to their recordings of minors, and the term "bate" as an abbreviation for masturbate. They used a minus symbol and a number to signify how much younger than 18 their victims were (e.g., -3 means 15 years old, -4 means 14 years old, etc.).

12.   They also had their own roles or positions. For example, "talkers" in the group were in charge of talking to the girls to get them to engage in sexual activity. "Hunters" were in charge of getting the girls on to Website A and alerting other group members to the fact that they had brought the minors to Website A. The "loopers" would play a previously recorded video of a different minor chatting and/or performing sexual acts in a chatroom. The "looper" pretended to be the minor depicted in the video that is broadcast to the targeted minor victim as if it is occurring in real-time.

13.   According to S2, from 2012 or 2013 through April of 2017, the group organized themselves on Website B. Website B contained a password-protected spreadsheet where the group maintained a list of minor females that they were targeting and what rooms on Website A were associated with them, along with a link

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to the social media account that had been used to target the minor female. It also included a chat function so that the group members could coordinate their activities on Website A.

14.   S2 told the FBI the names of several members of the group, identifying them only by their username or usernames used on Website A, Website B, and/or Discord. Group members typically used the same usernames across these platforms, although some had more than one username. Because several members of the group are not in custody and presumably still active on Website A, the specific usernames identified by S2 will not be identified here.

15.   In April of 2017, the group started using a private server on Discord, another chat-based website, to organize their efforts to entice minor females to engage in sexual activity on camera. S2 provided consent to search his Discord account. Reviewing the group's chats on the Discord server supported S2's statements. Specifically, the Discord group chat had the same name as the group had used on Website B. Likewise, the group members involved in the Discord chat included numerous usernames that S2 had identified as group members. The chat conversations started on April 29, 2017, and went through October of 2017. The content of the group's discussions (i.e., about girls, rehashing activity on Website A, recalling conversations on Website B, etc.) corroborated statements made by S2.

16.   In the Discord conversations, group members posted sexually explicit images of girls[3], provided links to Website A chatrooms for one another, talked about "perving," discussed "hunting" and "win," referenced MV-2 (who the investigation has revealed has a DOB in 2001) and MV-3 (who the investigation has revealed has a DOB in 2002), discussed girls who were on camera in Website A rooms, and discussed sexual activity that girls had engaged in or were engaging in (e.g. "she was showing pussy"; "she used to dance in thong and bra on periscope, but never showed"; "1k show tits.").

Identification of group member PENNSYLVANIA TARGET #1

17.   For the reasons stated below, there is probable cause to believe that **PENNSYLVANIA TARGET #1** is a member of S2's group engaged in the sexual exploitation of children through Website A. There is also probable cause to believe that **PENNSYLVANIA TARGET #1** is **Michal Figura**. These conclusions derive from information provided by S2, from the login information for Discord, from login information from Website A, information learned during the execution of a search warrant at **Figura**'s residence, and information provided by another group member.

18.   As indicated above, S2 identified many group members by the username or usernames used by them on Website A, Website B, or Discord. Among those

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[3] The girls that they discussed and posted links to have not yet been identified. S2 said that both MV-2 and MV-3 were under the age of 18. Chat conversations involving both of these minors corroborated S2's statements and also provided information about their age.

identified by S2 was a username who will hereafter be referred to as **PENNSYLVANIA TARGET #1**.

19.   On September 12, 2017, the FBI subpoenaed Discord for IP information relating to logins by the group members who were a part of the group conversation on the private server described above, including the user **PENNSYLVANIA TARGET #1**. On October 5, 2017, Discord provided responsive material, listing the IP addresses used by **PENNSYLVANIA TARGET #1** between April 29, 2017, and July 25, 2017. **PENNSYLVANIA TARGET #1** logged in using an IP address that came back to **Michal Figura**'s residence on XXX Elm Street in Swarthmore, Pennsylvania.

20.   Moreover, from Website A, multiple IP addresses that resolved back to that same residence in Swarthmore, Pennsylvania were used to frequently visit chatrooms associated with S2's group on Website A. For example, two IP addresses that resolved back to **Figura**'s residence visited the specific chatroom identified by MV-1 in her victimization on seven different occasions. Other IP addresses that resolved back to Figura's residence logged into Website A chatrooms from June 2015 through March 24, 2017. In total, five different IP addresses that resolved back to **Figura**'s residence were used to log into Website A chatrooms, and these IP addresses logged into at least ten chatrooms associated with S2's group and logged into these rooms on the same days as other group members (including S2).

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21.   Today, law enforcement executed a federal search warrant at **Figura**'s residence on XXX Elm Street in Swarthmore, Pennsylvania. Agents attempted to interview Figura. When they mentioned Website A in a question, **Figura** began to cry and did not make further statements. Figura's wife was interviewed and reports that she and her husband have lived at the XXX Elm Street, Swarthmore, Pennsylvania residence for four years. The only other persons who reside there are their two children, ages five and one. She said she had never heard of Website A and had never downloaded or viewed child pornography. **Figura's** wife also identified the devices he typically used. Those devices were encrypted.

22.   Also today, law enforcement executed federal search warrants in various cities across the country related to S2's group. One group member provided law enforcement with the same username S2 provided, the **PENNSYLVANIA TARGET #1** username, and identified him as a group member.
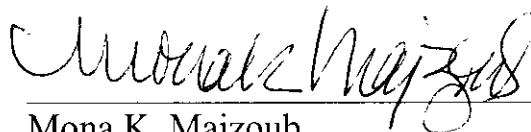
CONCLUSION

23.   Based on the foregoing, there is probable cause to believe **Figura** has

produced, attempted to produce, and conspired to produce child pornography in

violation of 18 U.S.C. § 2251(a) and (e). There is also probable cause to believe that

Figura coerced and enticed, or attempted to coerce and entice, a minor to engage in

sexually explicit conduct, in violation of 18 U.S.C. § 2422; and has participated in a

child pornography enterprise in violation of 18 U.S.C. § 2252A(g)(2).

Special Agent Adam Christensen
Federal Bureau of Investigation

Sworn to me this 23rd day of October, 2017

Mona K. Majzoub
United States Magistrate Judge